

# **BANGLADESH 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Bangladesh's constitution provides for a parliamentary form of government that consolidates most power in the Office of the Prime Minister. In a December 2018 parliamentary election, Sheikh Hasina and her Awami League party won a third consecutive five-year term that kept her in office as prime minister. This election was not considered free and fair by observers due to reported irregularities, including ballot box stuffing and intimidation of opposition polling agents and voters.

The security forces encompassing the national police, border guards, and counterterrorism units such as the Rapid Action Battalion, maintain internal and border security. The military has some domestic security responsibilities. The security forces report to the Ministry of Home Affairs, and the military reports to the Ministry of Defence. Civilian authorities maintained effective control over the security forces. There were reports members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; forced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrests or detentions; political prisoners or detainees; transnational repression against individuals in another country; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; punishment of family members for offenses allegedly committed by a relative; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and enforcement of or threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; restrictions on refugees' freedom of movement; serious and unreasonable restrictions on political

participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including domestic and intimate partner violence, sexual violence, workplace violence, child, early, and forced marriage, and other forms of such violence; crimes involving violence or threats of violence targeting members of ethnic minority groups or Indigenous people; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; laws criminalizing consensual same-sex sexual conduct between adults; significant restrictions on independent trade unions and workers' rights to freedom of association and collective bargaining; and existence of the worst forms of child labor.

There were numerous reports of widespread impunity for security force abuses and corruption. The government took few measures to identify, investigate, prosecute, and punish officials or security force members who committed human rights abuses or engaged in corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. Police policy requires internal investigations of all significant uses of force by police, including actions that resulted in serious physical injury or death, usually by a professional standards unit that reports directly to the inspector general of police. The government, however, neither released official statistics on total killings by security personnel nor took transparent measures to investigate cases. Human rights groups expressed skepticism regarding the independence and professional standards of the units conducting these assessments and claimed citizens were being deprived of justice. In the few known instances in which the government brought charges, those found guilty generally received administrative punishment.

Law enforcement raids occurred throughout the year, primarily to counter terrorist activity, drugs, and illegal firearms. Suspicious deaths occurred during some raids,

arrests, and other law enforcement operations. Security forces members frequently denied their role in such deaths. They claimed that when they took a suspect in custody to a crime scene to recover weapons or identify coconspirators, accomplices fired on police, police returned fire and, in the ensuing gunfight, the suspect was killed. The government usually described these deaths as “crossfire killings,” “gunfights,” or “encounter killings.” Media also used these terms to describe legitimate uses of police force. Human rights organizations and media claimed many of these crossfire incidents constituted extrajudicial killings. Human rights organizations claimed in some cases law enforcement units detained, interrogated, and tortured suspects, brought them back to the scene of the original arrest, executed them, and ascribed the death to lawful self-defense in response to violent attacks.

Extrajudicial killings dramatically decreased from the previous year. Domestic human rights organization Ain o Salish Kendra (ASK) reported 19 individuals died in alleged extrajudicial killings or while in custody, including four in so-called crossfires with law enforcement agencies and eight due to physical torture before or while in custody. According to another domestic human rights organization, of 25 incidents of alleged extrajudicial killings between January and September, four deaths resulted from law enforcement crossfire killings, 10 persons were shot to death by law enforcement officers, and 10 others died from alleged torture while in custody.

In March domestic think tank Centre for Governance Studies released a report analyzing cases of extrajudicial killing between 2019 and 2021. The report claimed police, particularly the Detective Branch, were involved in more extrajudicial killings (51.2 percent of cases) than the Rapid Action Battalion (RAB) (28.8 percent of cases). The report noted the number of extrajudicial killings in Cox’s Bazar was far higher than the rest of the country.

In November media reported Shaheen Miah was killed in a “gunfight” with the RAB in Rupganj in Narayanganj district near Dhaka city. In April media reported Mohammad Raju was killed in an alleged crossfire gunfight with the RAB in Comilla. A few days later, a second incident of alleged extrajudicial killing occurred when Kaiser Ahmed was killed in a gunfight with the RAB in Manikganj.

In January a Cox's Bazar court handed down the death sentence to two of the officers accused of killing retired army Major "Sinha" Mohammad Rashed Khan, with six others receiving life sentences. In 2020, police in Cox's Bazar allegedly shot and killed Khan at a checkpoint. The court acquitted seven individuals due to a lack of credible evidence. At the time of the incident, Sinha's killing generated intense public discussion on police, extrajudicial killings, and other law enforcement excesses. The January court decision was the first guilty verdict for an alleged "crossfire killing."

## **b. Disappearance**

Human rights groups and media reported disappearances and kidnappings continued, allegedly committed by security services. Between January and September, a local human rights organization reported 16 persons were victims of enforced disappearances. The government made limited efforts to prevent, investigate, or punish such acts. Civil society organizations reported victims of enforced disappearance were mostly opposition leaders, activists, and dissidents. Following alleged disappearances, security forces released some individuals without charge and arrested others. In May international rights organizations International Federation of Human Rights and the Asian Federation against Involuntary Disappearances, along with domestic rights groups Mayer Daak and Odhikar, issued a public letter claiming government-sponsored enforced disappearances against human rights advocates continued in the wake of December 2021 U.S. sanctions imposed upon RAB officials. The letter stated the families of disappeared individuals received frequent intimidation and threats for speaking out. Political opposition alleged police forces did not register complaints from families of those subjected to enforced disappearances.

In April *Mayer Daak* (Mother's Call), an organization of members of the families of victims of enforced disappearances, held a press conference where it stated enforced disappearances continued unabated, particularly cases involving opposition party members. In August the organization alleged members of the ruling Awami League party had been uploading fabricated images on social media to malign the characters of female members of the victims' families.

In January Human Rights Watch released a statement condemning the

government's dismissal of criticism in response to allegations of rampant enforced disappearances. Freedom House's *Freedom in the World 2022 Country Report* noted "a range of human rights abuses by law enforcement agencies – including enforced disappearances, custodial deaths, arbitrary arrests, and torture – have continued unabated."

In March the Centre for Governance Studies launched a report analyzing 71 cases of enforced disappearances between 2019 and 2021. According to the report, the RAB was responsible for 40 percent of the disappearances and the Detective Branch of the national police was responsible for 30 percent. The report claimed a third of the disappearance cases were from Dhaka, with most victims being politicians and businesspersons. Students made up 11 percent of the victims.

In June the High Court suspended court proceedings against photojournalist and news editor Shafiqul Islam Kajol, who faced three charges that were first filed in 2020 under the Digital Security Act (DSA). Allegedly, the government forcibly detained Kajol in 2020 and did so incognito for 53 days. Kajol spent a total of 237 days in prison on defamation charges and was released on interim bail in December 2020. The June suspension of proceedings followed a primary hearing on three appeals made by Kajol. The cases were ongoing.

In May the UN Working Group on Enforced Disappearances (WGEID) reviewed previously submitted cases of potential enforced disappearance. The UN body is investigating a total of 81 cases of enforced disappearance in the country. Earlier in the year, the WGEID noted the government provided information regarding some cases of enforced disappearance, but the WGEID did not consider that information sufficient to determine the fate or whereabouts of the disappeared persons. The WGEID reported receiving complaints regularly concerning disappearances, mostly relating to alleged disappearances of members of opposition political parties.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

Although the constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, local and international human rights

organizations and media reported security forces, including those from the intelligence services, police, and soldiers seconded into civilian law enforcement agencies, employed torture and cruel, inhuman, or degrading treatment or punishment. The law allows a magistrate to place a suspect in interrogative custody, known as remand, during which questioning of the suspect may take place without a lawyer present. Human rights organizations alleged many instances of torture occurred during remand. Some victims who filed cases under the Torture and Custodial (Prevention) Act were reportedly harassed and threatened, while some were forced to withdraw their cases due to fear.

According to multiple organizations, including the UN Committee against Torture (UNCAT), security forces reportedly used torture to gather information from alleged militants and members of political opposition parties. These forces reportedly used beatings with iron rods, kneecappings, electric shock, rape and other sexual abuse, and mock executions. Numerous organizations also claimed security forces were involved in widespread and routine commission of torture, occasionally resulting in death, for the purpose of soliciting payment of bribes or obtaining confessions. In March the UNCAT released a statement criticizing the government for its lack of response to its 2019 report, calling on the government to recognize torture as an “urgent concern”; to “cease engaging in the practice of unacknowledged detention”; and to set up an independent commission of inquiry into the RAB.

According to international and local civil society, activists, and media, impunity was a pervasive problem in the security forces, including within but not limited to the RAB, Border Guards Bangladesh, Detective Branch of Police, and other units. Politicization of crimes, corruption, and lack of independent accountability mechanisms were significant factors contributing to impunity, including for custodial torture. While police are required to conduct internal investigations of all significant abuses, civil society organizations alleged investigative mechanisms were not independent and did not lead to justice for victims.

In February media reported Ujir Mia died after alleged torture in police custody. Police arrested Mia on charges of stealing cows, and witnesses arrested with Mia stated police brutally beat him and hung him upside down. After Mia’s death, villagers blocked a local highway for three hours, demanding punishment of the

police officers. In March news stories reported a leader of the opposition Bangladesh Nationalist Party (BNP) died at the hospital while undergoing treatment hours after he was picked up and interrogated by the RAB.

During UN High Commissioner for Human Rights Michelle Bachelet's August visit to the country, she called for "an impartial, independent, and transparent investigation" into allegations of torture, extrajudicial killings, and enforced disappearances. Bachelet also called for the country to rethink its position with regards to its nonparty status to the International Convention for the Protection of All Persons from Enforced Disappearance, pointing out, "Bangladesh is party to all the core UN human rights treaties, except for it."

On June 26, a joint statement made by several human rights organizations, including Odhikar and the International Federation for Human Rights, condemned acts of torture performed by police, with Odhikar reporting 90 individuals were tortured to death between November 2013 and May 2022. The joint statement includes condemnation of inaction by the government, claiming, "torture, both physical and mental, has become an institutionalized practice in the country."

### **Prison and Detention Center Conditions**

Prison conditions were harsh and at times life threatening due to severe overcrowding, inadequate facilities, physical abuse, corruption, and a lack of proper sanitation and social-distancing measures during the COVID-19 pandemic. There were no privately run detention facilities.

Local human rights organization ASK reported 65 prisoners, of whom 37 were on trial and 28 were convicted, died in jail custody. Former detainees reported some inmates who died in prison were transported to a hospital and pronounced dead due to natural causes.

**Abusive Physical Conditions:** As of November, according to the Bangladesh Prisons Directorate (BPD) as reported by local press, 81,156 prisoners were held in 68 facilities across the country designed to hold approximately 42,600 inmates. Prison superintendents stated they had no capacity to isolate inmates infected by COVID-19. During the pandemic, the government opened three COVID-19 isolation centers in the districts of Keraniganj, Feni, and Kishoreganj. Some

released prisoners alleged many prisons underreported cases of COVID-19. Authorities often incarcerated pretrial detainees with convicted prisoners.

Prison Directorate statistics revealed 43 of 141 positions for prison doctors were vacant as of August, with only five doctors assigned to prisons full-time.

Conditions in prisons, and often within the same prison complex, varied widely. Authorities held some prisoners in areas subject to high temperatures, poor ventilation, and overcrowding.

While the law requires holding juveniles separately from adults, authorities incarcerated many juveniles alongside adults. Children were sometimes imprisoned (occasionally with their mothers) despite laws and court decisions prohibiting the imprisonment of children. The BPD continued to operate under provisions from British colonial law that allow children up to the age of seven to remain with their mothers in custody. Authorities held female prisoners separately from men.

Although Dhaka's central jail had facilities for those with mental disabilities, not all detention facilities had such facilities, nor are they required by law.

**Administration:** Prisons lacked any formal process for offenders to submit grievances. Prisons had no ombudsperson to receive prisoner complaints. Retraining and rehabilitation programs were extremely limited.

**Independent Monitoring:** The government permitted visits from government inspectors and nongovernmental observers who were aligned with the incumbent party. No reports on these inspections were released. The International Committee of the Red Cross continued to support the BPD and assisted 68 prison centers across the country, including supplying personal protective equipment and helping the government operate isolation centers to alleviate the spread of COVID-19. According to the BPD, district and magistrate judges visited the prisons at least once every month.

**Improvements:** The BPD attempted to address overcrowding by adding and renovating housing units in several jail locations. The BPD undertook modernization projects at 32 facilities to increase security and provide a safer



living environment for detainees and staff.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention, but the law permits authorities to arrest and detain an individual without an order from a magistrate or a warrant if authorities perceive the individual may constitute a threat to security and public order, or if authorities perceive the individual is involved with a serious crime. The constitution provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government did not generally observe these requirements. Media, civil society, and human rights organizations accused the government of conducting enforced disappearances not only against suspected militants but also against civil society and opposition party members. Authorities often held detainees without divulging their whereabouts or circumstances to family or legal counsel, or without acknowledging having arrested them.

#### **Arrest Procedures and Treatment of Detainees**

The constitution requires arrests and detentions be authorized by a warrant or occur because of observation of a crime in progress, but the law grants broad exceptions to these protections.

Under the constitution detainees must be brought before a judicial officer to face charges within 24 hours, but this was not regularly enforced. The government or a district magistrate may order a person detained for 30 days to prevent the commission of an act that could threaten national security; however, authorities sometimes held detainees for longer periods with impunity.

There is a functioning bail system, but police routinely rearrested bailed individuals on other charges, despite directives from the Supreme Court's Appellate Division prohibiting the rearrest of persons on new charges without first producing them in court.

Authorities generally permitted defense lawyers to meet with their clients only after formal charges were filed in the courts, which in some cases occurred weeks or months after the initial arrest. Detainees are legally entitled to counsel even if

they cannot afford to pay for it, but the country lacked sufficient funds to provide this service. Many detainees were not permitted to communicate with others outside of detention.

**Arbitrary Arrest:** Arbitrary arrests occurred, often in conjunction with political demonstrations or speech, or as part of security force responses to terrorist activity, and the government held persons in detention without specific charges, sometimes to collect information regarding other suspects. The expansiveness of the 1974 Special Powers Act grants legal justification for arrests that would often otherwise be considered arbitrary, since it removes the requirement that arrests be based on crimes that have occurred previously. Human rights activists claimed police falsely constructed cases to target opposition leaders, workers, and supporters, and that the government used the law enforcement agency to crack down on political rivals.

From August to December, police arbitrarily arrested thousands of opposition BNP members during otherwise peaceful protests. Following two clashes between the BNP and the Awami League in Netrakona and Madan, police filed charges against 759 BNP leaders and activists. In December media reported police headquarters announced that police arrested more than 6,000 individuals during a nationwide “special drive.” While police claimed this drive was to control crime, human rights organizations and observers noted most of the arrested persons were from the opposition party.

**Pretrial Detention:** Arbitrary and lengthy pretrial detention continued due to bureaucratic inefficiencies, limited resources, lax enforcement of pretrial rules, and corruption. Lawyers attributed the overuse of arbitrary and stringent laws such as the DSA, some of which have do not allow for bail, as another explanation for the high numbers of pretrial detentions. In some cases, the length of pretrial detention equaled or exceeded the sentence for the alleged crime.

## **e. Denial of Fair Public Trial**

The constitution provides for an independent and impartial judiciary, but corruption and political interference compromised its independence. The government generally did not respect judicial independence and impartiality.

Human rights observers maintained that lower courts sometimes ruled based on influence from or loyalty to political patronage networks, particularly in cases filed against opposition political party supporters. Observers claimed judges who made decisions unfavorable to the government risked transfer to other jurisdictions.

Observers alleged judges sometimes accepted bribes from attorneys or other court officials for bail or acquittal in criminal cases.

Corruption and a substantial backlog of cases hindered the court system, and the granting of extended continuances effectively prevented many defendants from obtaining fair trials. During the pandemic, media reported many courts were closed and very few operated virtually, exacerbating case backlogs. In some cases, defendants remained in custody during the trial for longer than the maximum custodial sentence of the crime for which they were charged.

Defendants who could not afford an attorney or chose to remain undefended were not eligible for bail during proceedings. The National Legal Aid Services Organization offered some services to defendants who could not afford private attorneys, but access to those services often required burdensome formalities and extensive periods of time. Many defendants were unaware of these services.

## **Trial Procedures**

The constitution provides the right to a fair and public trial, but the judiciary did not always protect this right due to corruption, partisanship, and weak human resources. Legal experts noted prosecution witnesses often did not show up in court to give oral testimony and there were insufficient judges to handle the pending case load in a timely manner.

Defendants do not have the right to a timely trial. Indigent defendants have the right to a public defender, but in many cases public defenders were not well prepared nor adequately acquainted with the details of the case at hand. Trials are conducted in the Bengali language; the government does not provide free interpretation for defendants who cannot understand or speak Bengali.

The government frequently did not respect the rights of accused persons to confront prosecution or plaintiff witnesses and present their own witnesses and

evidence. Authorities did not always respect the right not to be compelled to testify or confess guilt, and defendants who did not confess were often kept in custody. Some defendants claimed police pressured the accused to confess under duress.

The administrative process by which lower court and jail authorities were notified of the outcome of High Court appeals was very slow. On August 7, the High Court ordered a judicial inquiry into the matter of a defendant, Abul Kashem, who had been serving his sentence in a cell for seven years despite his acquittal by the appellate court. After publication of this news in an online newspaper, the High Court ordered his immediate release. In 2007, Kashem was convicted of murder and sentenced to death. In 2013, the High Court acquitted Kashem on appeal, but its order was not communicated to the prison authorities.

Mobile courts headed by executive branch magistrates rendered immediate verdicts that often included prison terms for defendants who did not have the opportunity for legal representation.

In December media reported the court granted the RAB additional time to submit its probe report in a high-profile case involving the killing of two journalists in 2012. This was the 94th deferral of the probe deadline. Law enforcement officials arrested and charged eight individuals with the double murder, but the RAB had not submitted its report.

### **Political Prisoners and Detainees**

There were reports of political prisoners or detainees. Political affiliation often appeared to be a factor in claims of arrest and prosecution of members of opposition parties, including through spurious charges under the pretext of responding to national security threats.

In June former prime minister and chairperson of the opposition political party BNP Khaleda Zia received permanent bail on two cases filed against her for hurting religious sentiments and making derogatory remarks against Sheikh Mujibur Rahman. This granting of permanent bail followed several short-term extensions since 2020 when Zia's sentence was first suspended on humanitarian grounds. In a separate case alleging abuse of power, Zia's indictment hearing was

consistently postponed throughout the year due to illness. In 2018 Zia was sentenced to 10 years' imprisonment on corruption and embezzlement charges, which were first filed in 2008. International and domestic legal experts commented on the lack of evidence to support the conviction and suggested a political ploy to remove the leader of the opposition from the electoral process. These experts stated courts were generally slow in considering petitions for bail on her behalf.

The Bangladesh International Crimes Tribunal, established in 2010 to conduct trials of those accused of war crimes and atrocities that took place during the 1971 War of Independence, was active during the year; many observers viewed the proceedings as politically motivated, as the court almost exclusively indicted members of opposition political parties. In July the tribunal sentenced six persons to death for committing crimes against humanity in Khulna. In March and May, the tribunal sentenced to death members of the Jamaat-e-Islami party for collaborating with the Pakistan Army.

### **Transnational Repression**

The government used transnational repression to intimidate or exact reprisals against individuals outside its sovereign borders, including against members of diaspora populations, such as political opponents, civil society activists, human rights defenders, and journalists.

**Threats, Harassment, Surveillance, and Coercion:** According to the press, police and intelligence agencies continued to harass and surveil human rights defenders, civil society leaders, and the family members of critics based outside of the country. In March UN human rights experts called on the government to “immediately cease reprisals against human rights defenders and relatives of forcibly disappeared persons for their activism and cooperation with international human rights bodies and UN mechanisms.”

In March, Nusrat Shahrin Raka, sister of U.S.-based Bangladeshi journalist Kanak Sarwar, was released on bail after being imprisoned for 160 days. As of December, she remained out on bail, although the cases against her continued and hearings took place every few months. In October 2021, media reported RAB

forces arrested Raka on charges of violating the DSA and drug possession. According to the press, Sarwar believed the charges against his sister were retribution for his previous online commentary seen as being critical of the government and said his sister had committed no crime. In 2020, the High Court directed authorities to block Sarwar's websites in which he shared content for "anti-state distorted content."

In September media sources reported the detective branch of the national police arrested Nur Alam Chowdhury, brother of London-based weekly *Surma* editor Shamsul Alam Liton, as reprisal for Liton's stories critical of the government and his work to organize a demonstration in front of the British parliament on August 30 to mark the International Day of the Victims of Enforced Disappearances. In November the Counter Terrorism and Transnational Crime (CTTC) department of Dhaka Metropolitan Police filed a case against writer and online activist Pinaki Bhattacharya and two others, Mofizur Rahman and Mushfiqul Fazal Ansary, on charges under the DSA of maligning the image of the country. According to the case statement, on October 14, the CTTC noticed a Facebook status posted by Pinaki, who lives in France, that allegedly spread misinformation regarding the police force. Police claimed Rahman, whom they subsequently arrested, shared the misinformation with Ansary and Pinaki, who posted it on social media.

In November media reported the Bangladesh High Commission in Canada warned Bangladeshi Canadians that a group of individuals had spread fabricated and false information against the country. Terming those individuals money launderers, loan defaulters, and convicts, the high commission stated the Bangladesh government was observing such "anti-state" activities closely and that the Toronto consulate would refuse those persons consular services.

**Efforts to Control Mobility:** There were credible reports the government attempted to target citizens for reprisal by revoking their identity documents to control mobility. In January news outlets reported the Liberation War Affairs minister announced the government had decided to revoke the passports of Bangladeshis based overseas involved in "anti-Bangladesh activity."

**Bilateral Pressure:** There were credible reports that for politically motivated purposes, the government attempted to exert bilateral pressure on other countries

aimed at having them take adverse action against specific individuals. In September media reported the Ministry of Home Affairs sent Bangladesh missions abroad a list of those committing “anti-state” activities in foreign countries, asking those missions to pressure host governments to take any possible legal action against them.

### **Civil Judicial Procedures and Remedies**

Individuals and organizations may seek judicial remedies for human rights abuse; however, lack of public faith in the court system deterred many from filing complaints. Courts or other mechanisms were insufficiently independent to provide effective civil remedies for human rights abuses.

### **Property Seizure and Restitution**

The government did not implement a 2001 act to accelerate the process of return of land primarily to Hindu individuals. The act allows the government to confiscate property of anyone whom it declares to be an enemy of the state. It was often used to seize property abandoned by minority religious groups when they fled the country, particularly after the 1971 independence war.

Minority groups continued to report land ownership disputes that disproportionately displaced members of ethnic minorities, especially in areas near new roads or industrial development zones where land values had increased. They also claimed local police, civil authorities, and political leaders were sometimes involved in evictions or shielded politically influential land grabbers from prosecution (see section 6, Indigenous Peoples). While the law allows for land restitution for Indigenous persons living in the Chittagong Hill Tracts (CHT), this rarely occurred.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law does not prohibit arbitrary interference with private correspondence. Intelligence and law enforcement agencies may monitor private communications with the permission of the Ministry of Home Affairs, but police rarely obtained such permission from the courts when monitoring private correspondence. Human

rights organizations alleged police, the National Security Intelligence, and the Directorate General of Forces Intelligence employed informers to conduct surveillance and report on citizens perceived to be critical of the government.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media, but the government frequently contravened this right. There were significant limitations on freedom of expression both online and offline. Members of media and bloggers self-censored their criticisms of the government due to harassment and fear of reprisal.

**Freedom of Expression:** The constitution equates criticism of the constitution with sedition. Punishment for conviction of sedition ranges from three years to life imprisonment.

The law limits hate speech but does not define clearly what constitutes hate speech, which permits the government broad latitude to interpret it. The government may restrict speech deemed to be against the security of the state; against friendly relations with foreign states; and against public order, decency, or morality; or which constitutes contempt of court, defamation, or incitement to an offense. The law criminalizes any criticism of constitutional bodies.

The DSA, passed ostensibly to reduce cybercrime, provides for sentences of up to life imprisonment for spreading “propaganda” against the Bangladesh Liberation War, the national anthem, or the national flag. Throughout the year the government widely used the DSA against persons criticizing the government, including questioning the government’s handling of the pandemic. Increasingly, the law was used against speech found on social media, websites, and other digital platforms, including for commentators living outside of the country. In April the Centre for Governance Studies released a report that stated at least 2,244 individuals were accused in 890 DSA cases between January 2020 and February 2022. Politicians made up the plurality of the accused, followed by journalists.



The report claimed an average of 32 arrests per month under the DSA, with arrest rates increasing in 2021 and during the year. Separate news stories noted even children were facing DSA charges. At least 18 cases were filed against 20 children between ages 13 and 17 in 12 districts of the country.

In March Amnesty International reported, “Section 25 (publication of false or offensive information), Section 29 (publication of defamatory information) and Section 31 (offense and punishment for deteriorating law and order) of the DSA were used systematically to target and harass dissenting voices, including those of journalists, activists, and human rights defenders. These actions contravened the country’s commitments under the International Covenant on Civil and Political Rights as well as its domestic constitutional obligations.”

**Violence and Harassment:** Authorities, including intelligence services and student affiliates of the ruling party, subjected journalists to physical attacks, harassment, and intimidation, especially when tied to the DSA, which human rights activists viewed as a government and ruling party tool to intimidate journalists. The Editors’ Council, an association of newspaper editors, stated the DSA stifled investigative journalism, and members published editorials stating so publicly. Individuals faced the threat of being arrested, held in pretrial detention, subjected to expensive criminal trials, fines, and imprisonment, as well as the social stigma associated with having a criminal record. Of 20 clauses of the law relating to crime and punishment, 14 are nonbailable, five are bailable, and one is negotiable, according to the Editor’s Council.

Minority rights organizations criticized the arbitrary detention under the DSA of minority community members on the false pretext of blasphemy. They claimed the government arrested members of the minority community after anti-Hindu violence in October 2021, to ensure news of brutalities committed against minorities was not posted on social media.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Both print and online independent media were active and expressed a wide variety of views; however, media outlets that criticized the government were pressured by the government. Independent media could not operate freely or without restrictions.

The government maintained editorial control over the country's public television station and allegedly mandated private channels broadcast government content for free. Civil society organizations stated political interference influenced the licensing process, since all television channel licenses granted by the government were for stations supporting the ruling party.

In October police submitted to a Dhaka court a report stating that police found no evidence against Prothom Alo senior journalist Rozina Islam, who faced charges in an Official Secrets Act case. The government arrested Islam in May 2021 under the 1923 Official Secrets Act and sections of the penal code for investigating a corruption story involving the Ministry of Health, accusing him of taking photos and stealing official documents from the ministry. Media outlets reported Islam was confined to a government office in Dhaka for five hours and, according to her family, physically harassed and mistreated. Islam, if convicted, could be sentenced to up to 14 years in prison or the death penalty.

Independent journalists and media alleged intelligence services influenced media outlets in part by withholding financially important government advertising and pressing private companies to withhold their advertising as well. The government penalized media that criticized it or carried messages of the political opposition's activities and statements.

Privately owned newspapers usually were free to carry diverse views outside politically sensitive topics or those that criticized the ruling party. Political polarization and self-censorship remained a problem. Investigative journalists often complained of their management and of editors "killing" reports due to fear of pressure from the government and its intelligence agencies. Some journalists received threats after publishing their stories. According to journalists and human rights groups, journalists engaged in self-censorship due to fear of security force retribution, prosecution under the DSA, and the possibility of being charged with politically motivated cases. Although public criticism of the government was common and vocal, some media figures expressed fear of harassment by the government.

In a June statement, human rights organization Article 19 expressed concern regarding the killings of three media workers between March and June. Article 19

recorded 62 incidents of physical assault on journalists across the country from January to May.

**Libel/Slander Laws:** Libel, slander, defamation, and blasphemy are treated as criminal offenses, most often employed against individuals speaking against the government, the prime minister, or other government officials. Laws referring to defamation of individuals and organizations were used to prosecute opposition figures and members of civil society.

**National Security:** Authorities stated the DSA was essential to protect national and cyber security and prevent communalism. They allegedly used the law to arrest or punish critics of the government or deter criticism of government policies or officials.

**Nongovernmental Impact:** Societal pressures limited freedom of expression; atheist, secular, religious minorities, and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) writers and bloggers reported they continued to receive death threats from alleged extremist organizations.

## **Internet Freedom**

The government restricted and disrupted access to the internet and censored online content in numerous incidents. Laws banned virtual private networks and voice-over-internet-protocol telephone, but authorities rarely enforced this prohibition. The government monitored private online communications without appropriate legal authority.

In several incidents the government interfered in internet communications, filtered or blocked access, restricted content, and censored websites or other communications and internet services. From October to December, the government allegedly blocked or slowed internet services in cities where opposition parties planned rallies. It suspended or closed many websites based on vague criteria, or with explicit reference to their pro-opposition content being in violation of legal requirements.

The Bangladesh Telecommunications Regulatory Commission is charged with regulating telecommunications. It carries out law enforcement and government

requests to block content by ordering internet service providers to act. The commission filtered internet content the government deemed harmful to “national unity and religious beliefs.”

Local media reported the country is among those allegedly using Pegasus, the Israeli-made surveillance application. The government’s information and communication technology minister denied the software purchase and deferred further questions to law enforcement agencies. The Citizen Lab, an international research laboratory, claimed the spyware was detected on the networks of Bangladesh Telecommunication Company Limited, the country’s largest telecommunications company.

In January 2020, authorities blocked the Swedish-based website *Netra News* after it published reports alleging corruption by a government minister. As of December, the website remained blocked.

In September the Asia Desk of the Committee to Protect Journalists reported authorities temporarily blocked domestic access to the website of DrikNews, run by human rights advocate and photographer Shahidul Alam.

### **Restrictions on Academic Freedom and Cultural Events**

Although the government placed few restrictions on academic freedom or cultural events, authorities discouraged research on sensitive religious and political topics that might fuel possible religious or communal tensions. Academic publications on the 1971 independence war were subject to scrutiny and government approval.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The law provides for the right to peaceful assembly, but the government generally did not respect this right. The law gives the government broad discretion to ban assemblies of more than four persons. The government requires advance permission for gatherings such as protests and demonstrations (see section 1.d.).

According to human rights groups, authorities continued to prohibit gatherings by opposition groups and imposed what observers saw as unreasonable requirements for permits. Occasionally police or ruling party activists used force to disperse demonstrations assembled by opposition parties, organizations, and activists.

Opposition leaders and activists reported numerous restrictions towards organizations throughout the year. The opposition BNP was regularly denied permission to hold events or intimidated by authorities and ruling party activists at their events. On September 17, media reported the government had adopted a policy to confine BNP programs to specific locations within Dhaka. In March Amnesty International released its 2021-22 report, in which it stated, “Peaceful protests by opposition political parties and students were prevented and suppressed by the authorities, on some occasions using excessive force.”

In July a man was killed and at least 40 injured in Bhola after police opened fire on opposition BNP activists protesting energy-sector mismanagement and power cuts. Police subsequently filed two charges against more than 400 BNP leaders and activists. In September several BNP party members were injured after activists of the ruling Awami League party attacked a candlelit program in Dhaka’s Banani area. The BNP had announced the program to protest price increases of essential commodities and the recent killings of three party activists by police. In response to the violence, leaders of political parties in alliance with the Awami League spoke out condemning the attacks and claimed such violence moved the country in a backward direction.

On September 19, media reported that since August 22, three BNP members were killed and more than 2,100 injured in clashes between police and Awami League activists in protests regarding the rising cost of living. According to the BNP, in September more than 220 of its members had been arrested and police had filed at least 65 charges against at least 4,100 named and more than 20,500 unnamed members of the party. They also claimed ruling party members vandalized the houses and businesses of BNP party members in at least 60 incidents.

## **Freedom of Association**

The law provides for the right of citizens to form associations, subject to

“reasonable restrictions” in the interest of morality or public order, and the government generally respected this right. The government’s NGO Affairs Bureau often withheld or delayed approval for foreign funding to nongovernmental organizations (NGOs), especially those working on matters the bureau deemed sensitive, such as human rights, labor rights, Indigenous rights, LGBTQI+ rights, or humanitarian assistance to Rohingya refugees (see sections 2.d., 5, and 7.a.).

The law restricts the receipt of foreign funds by NGOs or government officials and provides for punishment of NGOs making any derogatory comments regarding the constitution or constitutional institutions (see section 5). Many civil society organizations claimed they faced increasing scrutiny and bureaucratic delays.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>

### **d. Freedom of Movement and the Right to Leave the Country**

The law provides for freedom of internal movement, emigration, and repatriation, and the government generally respected these rights, except in three sensitive areas: the CHT, Rohingya refugee camps in Cox’s Bazar, and on the island of Bhasan Char in the Bay of Bengal.

**In-country Movement:** The government enforced restrictions on access to the CHT by foreigners and restricted movement of Rohingya refugees. The refugee camps in Cox’s Bazar were surrounded by barbed and concertina wire fencing with few pedestrian gates to allow the Rohingya to move among the camps or into the local community. Bhasan Char is an island with no regular links to the mainland. Authorities caught and detained many Rohingya who tried to leave Bhasan Char or camps in Cox’s Bazar and returned them to the registered camps.

**Foreign Travel:** While foreign travel is allowed, some senior domestic civil society and international NGO representatives, as well as opposition party members, reported harassment and delays when applying for a visa, entering, or departing the country. The government prevented war crimes suspects from the 1971 independence war from leaving the country.

Throughout the year numerous lockdown periods and movement restrictions were enforced, sporadically, to curb the COVID-19 pandemic. While restrictions technically applied to all citizens during any designated period, civil society reported individuals from poorer communities were disproportionately arrested or punished for violating quarantine rules. Allegations of bribes to avoid movement restrictions or penalties were also reported.

### **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to Rohingya refugees.

The government is not a party to the 1951 Convention Relating to the Status of Refugees or the 1967 Protocol. As a result, the government claimed it was not under legal obligation to uphold the basic rights enshrined in this treaty.

Prior to the 2017 Rohingya arrivals, the government and UNHCR provided temporary protection and basic assistance to approximately 33,000 registered Rohingya refugees from Burma living in two official camps (Kutupalong and Nayapara), while the government and the International Organization for Migration aided approximately 200,000 undocumented Rohingya living in makeshift settlements in Cox's Bazar. In 2017, more than 750,000 Rohingya fled genocide in neighboring Burma to seek safe haven in Bangladesh. As of November 30, because of this influx, 950,972 registered Rohingya refugees were living in refugee camps, makeshift settlements, and host communities. The government claimed actual numbers totaled more than 1.2 million. The government did not recognize the arrivals as refugees, referring to them instead as "forcibly displaced Myanmar nationals," but abided by many of the established UN standards for refugees. One notable exception was that Rohingya do not enjoy full freedom of movement throughout the country. Government officials stated repatriation was the government's only goal, stressing privileges such as freedom of movement, formal education, or livelihood opportunities could not be afforded to the Rohingya population.

A National Task Force of 25 ministries and department representatives and chaired

by the Ministry of Foreign Affairs provided oversight and strategic guidance for the overall Rohingya response. The Ministry of Home Affairs coordinated and maintained law and order for the response, with support from the Armed Police Battalion. At the local level, the Office of the Refugee Relief and Repatriation Commissioner, under the Ministry of Disaster Management and Relief, was responsible for the management of the camps.

As of November, Bhasan Char hosted 28,760 Rohingya refugees. Media reported the government spent 31 billion taka (\$310 million) to prepare for the eventual transfer of 100,000 refugees to the island. Current programs operate under a 2021 memorandum of understanding between the government and UNHCR that outlines the humanitarian and protection framework underlying UN operational engagements on the island.

On September 11, the government brought charges against 29 Rohingya in connection with the September 2021 killing of Mohammad Mohib Ullah, chairman and founder of the Arakan Rohingya Society for Peace and Human Rights, in Cox's Bazar. By October 2021, several men were arrested in connection with the killing. In March the Armed Police Battalion arrested the chief commander of the Arakan Rohingya Salvation Army's Ulama branch, Maulovi Zakaria accused of having issued a fatwa against Mohib Ullah.

**Access to Asylum:** The law does not provide for granting asylum or refugee status, nor has the government established a formal system for providing protection to refugees. Nonetheless, the government provided significant protection and assistance to Rohingya refugees residing in the country. Prior to 2017, the government cooperated with UNHCR to provide temporary protection and basic assistance to registered refugees residing in two official camps. After the 2017 arrival of more than 750,000 additional Rohingya refugees, the government started to register the refugees biometrically and provided identity cards with their Burmese addresses. Despite this documentation system, the lack of formal refugee status for Rohingya and clear legal reporting mechanisms in the camps impeded refugees' access to the justice system. UNHCR continued to operate registration centers to update individual and family status due to marriages, divorces, births, and deaths.



In September media reported up to 15 new Rohingya arrivals fled fighting in Burma and took refuge in the existing camps. Government officials prevented UNHCR from registering these new arrivals, and in October, several of these refugees reported they were in hiding and relying on the generosity of registered refugees for food and shelter.

**Abuse of Migrants and Refugees:** The government mostly cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to Rohingya refugees, despite significant security concerns in the camps. NGOs reported human trafficking and smuggling were common in the camps, with few cases prosecuted in the country's judicial system. When discovered, government officials returned trafficking victims to the camps.

International organizations reported gender-based violence directed against women in the camps. Intimate partner violence comprised 90 percent of the cases. The reduced footprint of international organizations throughout the COVID-19 pandemic limited reporting and monitoring of gender-based violence.

Accountability for all crimes, including human trafficking, remained a problem. Rohingya relied on government officials responsible for each camp (also known as the Camps in Charge, or CiC) to address allegations of crime. The CiCs were largely autonomous and varied in terms of responsiveness to camp needs. According to international organizations, some CiCs were susceptible to corruption. International organizations alleged some border guard, military, and police officials were involved in facilitating trafficking of Rohingya women and children, ranging from "looking the other way," to bribes for allowing traffickers to access Rohingya in the camps, to direct involvement in trafficking.

After May Eid al-Fitr celebrations, Human Rights Watch reported extortion, harassment, beatings, verbal abuse, and unlawful or arbitrary arrest by Armed Police Battalion restricted refugees' ability to move within the camps for the purposes of collecting rations and obtaining medication. In April Human Rights Watch also reported authorities intensified restrictions on Rohingya refugees' livelihoods, movement, and education. The organization noted officials arbitrarily destroyed thousands of shops while imposing new obstacles on travel within the camps in Cox's Bazar.

The 2021 Memorandum of Understanding (MOU) between the United Nations and the government has provisions to improve protections and services for Rohingya refugees on Bhasan Char. The MOU proposes expanded access to services, such as education, skills and vocational training, livelihoods, health care, and uninterrupted telecommunication services, which was funded by some international donors through the *2022 Joint Response Plan*. Following conclusion of the MOU, UN organizations began delivering humanitarian aid on Bhasan Char.

**Freedom of Movement:** There were restrictions on Rohingya freedom of movement. According to the 1993 MOU between the government and UNHCR, registered Rohingya refugees are not permitted to move outside official camps. After the 2017 influx, police set up checkpoints on the roads to restrict travel by both registered refugees and arrivals beyond the Ukhiya and Teknaf subdistricts. Rohingya located at Bhasan Char had little means to exit the island or travel to camps in Cox's Bazar, where many claimed to have family members, leading some human rights groups to label the situation on the island as "detention." At least 120 refugees were arrested for trying to leave the island. On May 4 and 5, police temporarily detained 656 refugees in Cox's Bazar when they left the camps to celebrate Eid-al-Fitr at local beaches.

A senior disaster management ministry official stated the government had decided to allow at least two trips per month from the island to the camps in Cox's Bazar for family visits. Regular and reliable connections to and from the mainland for logistics, trade, family visit, medical, and other reasons did not exist. Refugees complained to donor representatives that they often had to wait months for an opportunity to visit Cox's Bazar, that visits were only permitted when deemed "urgent," and that unpaid government-appointed Rohingya community leaders had to be bribed to certify a visit request as urgent enough to merit approval and vouch for the visitors' intent to return to Bhasan Char.

Many camp authorities introduced curfews and law enforcement patrols, particularly at night, in response to reported concerns regarding violent attacks, abductions, or kidnappings in the camps. Stating a desire to better secure the camp and protect Rohingya from migrant smuggling, the government has erected watchtowers and fencing in the camps in Cox's Bazar. Humanitarian agencies said fencing hindered delivery of services to refugees and exacerbated tensions between

refugees and host communities.

**Employment:** There were credible reports the government imposed restrictions on refugees' ability to work. The government did not formally authorize Rohingya refugees in the country to work locally, although it allowed some volunteer opportunities with small stipends and limited cash-for-work activities for Rohingya to perform tasks within the camps. On August 21, the National Task Force endorsed the long-awaited draft skills development framework. The skills development framework outlines the skills and training that may be provided to refugees and host communities, with UN support, based on assumptions of the kinds of livelihoods generally available in Rakhine state.

In August Prime Minister Sheikh Hasina's press secretary reported to media that the prime minister had told visiting UN High Commissioner for Human Rights Michelle Bachelet that initiatives to increase Rohingya refugees' employment and education opportunities would not be possible in Cox's Bazar. On Bhasan Char, skills development and livelihood opportunities were limited but appeared to be increasing during the year.

Despite their movement restrictions, some refugees worked illegally as manual laborers on the informal economy, where some were exploited as labor trafficking victims.

**Access to Basic Services:** The rapid increase in the population strained services both inside and outside the designated camps and makeshift settlements. The UN-led Inter Sector Coordination Group (ISCG) coordinated the many actors and agencies providing basic services to the Rohingya. Donor agencies reported complex and ambiguous certification processes disrupted a timely humanitarian response. Nonetheless, according to the ISCG, refugees lived in congested sites that were poorly equipped to handle the monsoon rains and cyclone seasons. While agencies made significant efforts to move those most vulnerable, the shortage of land remained a central problem hindering the ability of Rohingya to access basic services.

Public education remained a problem. Higher education remained out of reach of most of the population, but UNICEF overcame previous government opposition to

formal education by successfully completing a pilot program for grades six to nine using the Burmese national curriculum, and in August expanded the program to an additional 100,000 Rohingya refugee children in kindergarten and grades one and two. The government continued its policy forbidding education outside this program after issuing an order in December 2021 to shut down thousands of informal schools, affecting 32,000 students.

Government authorities allowed registered and unregistered Rohingya regular access to public health care, but the Rohingya needed authorities' permission to leave the camp. Humanitarian partners ensured their health-care expenses were covered and that they returned to the camps. The health sector maintained information on all the health facilities within the camps and the surrounding areas. Based on available data, overall coverage met the minimum requirements.

Bhasan Char had primary health-care facilities but lacked secondary and tertiary facilities, necessitating referrals to medical facilities off the island for advanced-level care. The transfer of patients to mainland facilities was hampered by required authorizations to depart the island, weather conditions, and boat availability. As of September, 453,160 Rohingya refugees (half of the total refugees) in Cox's Bazar received two doses of the COVID-19 vaccine. Specifically, 88 percent of Rohingya 12 years or older had received two doses. The government planned to vaccinate the younger age groups in the coming months. As of September in Bhasan Char, 11,651 refugees had received second doses of COVID-19 vaccine.

In November and December, the government approved the resettlement of an initial group of 62 refugees to the United States.

## **f. Status and Treatment of Internally Displaced Persons**

Societal tensions and marginalization of Indigenous persons continued in the CHT because of a government policy initiated during an internal armed conflict from 1973-97. This policy relocated landless ethnic Bengalis to the CHT with the implicit objective of changing the demographic balance to make Bengalis the majority. This initiative followed an earlier project in 1956 to construct a hydroelectric dam in the CHT, flooding hundreds of villages and displacing tens of

thousands of Indigenous persons. The national census conducted during the year revealed Indigenous people were now a minority in two of the three CHT districts.

The internally displaced persons (IDPs) in the CHT had limited physical security. Community leaders maintained Indigenous persons faced widespread violation of their rights by settlers, sometimes supported by security forces (see section 6, Indigenous Peoples).

The number of IDPs in the CHT is in dispute. NGOs estimated the number may exceed 500,000, which included non-Indigenous as well as Indigenous persons. In 2020, the CHT Commission estimated slightly more than 90,000 Indigenous IDPs resided in the area.

### **g. Stateless Persons**

Rohingya in the country were legally or in fact stateless. They cannot acquire Bangladeshi citizenship, nor does the government of Burma recognize them as citizens.

Every individual born in Bangladesh is a citizen of the country by birth as per the Citizenship Act of 1951, which was originally the Pakistan Citizenship Act 1951 and amended after the country's independence by legislative order. This provision is not afforded to Rohingya. A 2009 amendment to the act allows anyone born in the country to either a Bangladeshi mother or father the right to claim citizenship. This amendment was not retroactively applied to Rohingya children born in the country to stateless fathers prior to 2009, so these children remained stateless. There were cases in which children born to one Bangladeshi parent and one Rohingya parent were not recognized as citizens, despite the 2009 amendment.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. International observers reported recent elections were neither free nor fair because they were marred by serious irregularities.

## **Elections and Political Participation**

**Recent Elections:** Prime Minister Sheikh Hasina and her Awami League (AL) party won a third consecutive five-year term in a December 2018 parliamentary election that observers considered neither free nor fair and marred by irregularities including ballot-box stuffing and intimidation of opposition polling agents and voters. With more than 80 percent of the vote, the AL and its electoral allies won 288 of 300 directly elected seats, while the main opposition BNP and its allies won only seven seats. Parliament conferred the official status of opposition on the Jatiya Party, a component of the AL-led governing coalition, which seated 22 members in parliament. During the campaign leading to the election, there were many credible reports of harassment, intimidation, arbitrary arrests, and violence that made it difficult for many opposition candidates and their supporters to meet, hold rallies, or campaign freely.

During the 2018 national elections, the government did not grant credentials or issue visas within the timeframe necessary to conduct a credible international monitoring mission to most international election monitors from the Asian Network for Free Elections. Only seven of the 22 Election Working Group NGOs were approved by the Ministry of Home Affairs, NGO Affairs Bureau, and the Election Commission to observe the election.

Low voter turnout, intimidation, irregularities, and violence during campaigns and voting marked several local government elections during the year. ASK noted that 479 incidents of political violence occurred, with 70 deaths and 6,914 injured. Some violence occurred among opposing parties, but there were also numerous incidents of intraparty clashes.

**Political Parties and Political Participation:** The government mobilized law enforcement resources to level civil and criminal charges against opposition party leaders. The BNP claimed police implicated thousands of BNP members in criminal charges related to political demonstrations during the year and detained many of the accused. Human rights observers claimed many of these charges were politically motivated.

Opposition activists faced criminal charges. Leaders and members of Jamaat-e-

Islami (Jamaat), the largest Muslim political party in the country, could not exercise their constitutional freedoms of speech and assembly because of harassment by law enforcement authorities. Jamaat was deregistered as a political party by the government, prohibiting candidates from seeking office under the Jamaat name. Media outlets deemed critical of the government and the AL were subjected to government intimidation and cuts in advertising revenue and thus practiced some self-censorship.

AL-affiliated organizations, such as its student wing the Bangladesh Chhatra League (BCL), reportedly carried out violence and intimidation around the country with impunity, including against individuals affiliated with opposition groups. On May 26, the student wings of the BNP and the AL engaged in violent clashes at Dhaka University. This was in response to a BNP student protest regarding previous violence at the hands of the BCL. AL student leaders reportedly patrolled the campus with makeshift weapons and intercepted BNP student protesters, critically injuring several.

In April when violence in Dhaka's New Market area resulted in the loss of two lives, further violence incited by the AL student league occurred in April. BNP Secretary General Mirza Fakhrul Islam Alamgir claimed police incited the violence rather than curtailing it, leading to further violence.

On December 9, police arrested BNP Secretary General Mirza Fakhrul Islam Alamgir and BNP Standing Committee member Mirza Abbas in a case regarding December 7 clashes between police and BNP party members at the BNP's headquarters in Dhaka's Nayapaltan area. Observers alleged the arrests were politically motivated ahead of the BNP's scheduled December 10 rally in Dhaka. During the December 7 clash, police killed one man and injured several more.

The 86 criminal charges filed by the government against Alamgir in previous years remained unresolved. The charges involved attacks on police, burning buses, and bombings.

In several instances, the government interfered with the right of opposition parties to organize public functions and restricted broadcasting of opposition political events.

**Participation of Women and Members of Minority Groups:** No laws limited participation of women or members of minorities in the political process, and they did participate. In 2018, parliament amended the constitution to extend by 25 additional years a provision that reserves 50 seats for women. Female parliamentarians are nominated by the 300 directly elected parliamentarians. The seats reserved for women are distributed among parties proportionate to their parliamentary representation. Political parties failed to meet a parliamentary rule that women comprise 33 percent of all committee members by the end of the 2020, leading the Electoral Commission to propose eliminating the rule altogether. Freedom House noted in its annual report that societal discrimination against women, as well as against LGBTQI+ persons, limits their participation in politics. Religious, ethnic, and other marginalized groups remain underrepresented in politics and state agencies.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for conviction of corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption during the year, and officials frequently engaged in corrupt practices with impunity.

The Anti-Corruption Commission (ACC), set up in 2004 to serve as an independent monitoring mechanism, focuses on investigating cases of corruption, including but not limited to bribery, embezzlement, extortion, abuse of discretion, and improper political contributions. Local human rights organizations questioned the independence and effectiveness of the ACC, which they claimed was evidenced by the acquittal of most cases brought against ruling party officials and bureaucrats, while legal processes, investigations, and filing of cases against leaders of the BNP continued.

**Corruption:** Corruption remained a serious problem. Freedom House’s annual report noted “corruption is endemic, and anticorruption efforts have been weakened by politicized enforcement.” In March media sources reported the ACC was reluctant to pursue graft cases against administration officials. In August



Transparency International Bangladesh released a report stating 70.9 percent of households had paid bribes to get government services in various sectors. Passports offices, law enforcement agencies, and the Bangladesh Road Transport Authority are the top three bribe receivers.

In August media sources published a story that claimed government fuel subsidies were not used for the benefit of citizens but rather for corporations. The story claimed uncompetitive deals and collusive investing from politically connected investors cost the taxpayers an estimated \$1 billion a year.

In August the ACC opened an investigation into a former joint secretary of the Ministry of Youth and Sports for amassing 23.5 million taka (\$235,000) in illegal wealth. At the time, the accused was the director of Planning and Development of Bangladesh Forest Industries Development Corporation.

In September news outlets reported patients had to pay bribes to access and receive services at the Rangpur medical college hospital. Hospital authorities transferred 16 staff members as punishment for violating discipline and extorting service seekers, but local community members alleged the extortion continued.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Several domestic and international human rights groups investigated and published their findings on human rights cases, but they generally operated with significant government restrictions. Government officials were rarely cooperative and responsive to their reports, occasionally verbally attacking critical organizations and activists by name.

Although human rights groups often sharply criticized the government, they also practiced self-censorship. Observers alleged the government strategically reduced the effectiveness and inhibited operations of civil society through restrictions that were further exacerbated by threats from extremists and an increasingly entrenched leading political party. Even civil society members affiliated with the ruling party reported receiving threats of arrest from the security forces for public criticism of

government policies.

The government continued to restrict the funding and operations of the human rights organization Odhikar, which in turn continued to report harassment, intimidation, and surveillance by government officials and security forces. On June 5, the NGO Affairs Bureau denied Odhikar's registration renewal request, prompting outrage from the human rights community. The registration had been pending since 2014. Although the government cited procedural and administrative reasons for blocking the renewal, the bureau also accused Secretary Adilur Rahman Khan of spreading propaganda and publishing misleading information. Domestic and international human rights organizations believed the cancellation was an attempt to curb Odhikar's active criticism of the government's human rights record. UN Office of the High Commissioner for Human Rights spokeswoman Ravina Shamdasani expressed deep concern, requesting government reconsideration as well as fair access to a judicial appeal process of the decision. In early August, the Prime Minister's Office held an appeal hearing, but in September the appeal was rejected.

In October 2021, separate cases against Odhikar's secretary Adilur Rahman Khan and director Nasiruddin Elan went to trial regarding alleged violations in 2013 of the Information and Communications Technology Act. As of December, the cases against Khan and Elan remained pending, with conviction punishable by up to 10 years' imprisonment.

The government required all NGOs, including religious organizations, to register with the Ministry of Social Welfare. Local and international NGOs working on sensitive topics or groups, such as security force abuses, religious matters, human rights, Indigenous peoples, LGBTQI+ persons, Rohingya refugees, or worker rights, faced formal and informal governmental restrictions (see sections 2.b. and 7.a.). Some of these groups claimed intelligence agencies monitored them. The government sometimes restricted international NGOs' ability to operate through delays in project registration, cease-and-desist letters, and visa refusals.

The law restricted foreign funding of NGOs and included what rights groups reported were punitive provisions for NGOs making "derogatory" comments regarding the constitution of the country, its founding history, or constitutional

bodies (that is, government institutions and leaders).

**Retribution against Human Rights Defenders (HRDs):** The government filed numerous cases and began investigations into whether to file charges against human rights defenders. Human rights defenders claimed they were under constant government surveillance and they and their family members experienced frequent harassment. In a roundtable for UN High Commissioner for Human Rights Bachelet in August, Foreign Minister Momen verbally attacked human rights defenders and civil society organizations, some by name, for their antistate activities.

**The United Nations or Other International Bodies:** Since 2013 the government has not responded to a request from the UN Working Group on Enforced or Involuntary Disappearances to visit the country. The Office of the UN Resident Coordinator in the country reported at least 17 other pending requests for UN special rapporteurs to visit the country since 2017, including the special rapporteur on extrajudicial, summary, or arbitrary executions; the special rapporteur on the rights to freedom of peaceful assembly and of association; and the special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The special rapporteur on the promotion and protection of human rights in the context of climate change visited the country in September and the special rapporteur on trafficking in persons visited in November.

**Government Human Rights Bodies:** The National Human Rights Commission (NHRC) has seven members, including five honorary positions. The NHRC's primary activities are to investigate human rights abuses, address discrimination in law, educate the public on human rights, and advise the government on key human rights matters. Most human rights organizations questioned the independence and effectiveness of the NHRC, alleging the government used state institutions including the NHRC to implement its political agenda.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law only prohibits rape of girls and women by men and physical spousal abuse, but the law excludes marital rape if the girl or woman is older than 13. Conviction of rape is punishable by life imprisonment or the death penalty.

Human rights organizations found rape remained a serious issue in the country. Domestic human rights group ASK reported 936 women were raped, with 4 deaths after rape. There were allegations of rapists blackmailing survivors by threatening to release the video of the rape on social media. Rights groups reported violence against women in all forms increased throughout the pandemic. ASK reported 479 cases of violence against women, excluding rape, with many thousands of other cases unreported. NGOs mobilized to address an increase in gender-based violence during the pandemic. There were many reports of sexual violence committed with impunity.

In September police arrested five persons on the charge of abetting and raping a schoolgirl in Natore. Three accused allegedly raped the student by holding a knife to her neck and recorded the crime. According to news sources, the accused later demanded money and threatened to post the video on social media.

In July a Hindu woman was allegedly raped, killed, and her body left in a paddy field in Dinajpur District. Her 10-year-old daughter was found unconscious near the victim's body. According to the victim's family, the woman was gang raped. The perpetrators were not identified.

According to guidelines for handling rape cases, the officer in charge of a police station must record any information relating to rape or sexual assault irrespective of the place of occurrence. Chemical and DNA tests must be conducted within 48 hours from when the incident was reported. Guidelines also stipulate every police station must have a female police officer available to survivors of rape or sexual assault during the recording of the case by the duty officer. The statements of the survivor must be recorded in the presence of a lawyer, social worker, protection

officer, or any other individual the survivor deems appropriate. Survivors with disabilities should be provided with government-supported interpretation services, if necessary, and the investigating officer along with a female police officer should escort the survivor to a timely medical examination.

According to human rights monitors, many survivors did not report rapes due to lack of access to legal services, social stigma, fear of further harassment, and the legal requirement to produce witnesses. The burden is on the rape survivor to prove a rape occurred, using medical evidence.

**Other Forms of Gender-based Violence:** Some media and NGOs reported violence against women related to disputes concerning dowries, despite dowry demands being illegal. By law, an individual convicted of demanding or giving a dowry may be imprisoned for up to five years, fined, or both. ASK found 174 incidents of dowry-related violence against women, with 79 women killed because of dowry disputes.

ASK reported there were six incidents of fatwa used to target women. A Supreme Court Appellate Division ruling allows the use of fatwas (religious edicts) only to settle religious matters; fatwas may not be invoked to justify punishment, nor may they supersede secular law. Islamic tradition dictates only those religious scholars with expertise in Islamic law may declare a fatwa. Despite these restrictions, village religious leaders sometimes made such declarations. The declarations resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

Incidents of vigilantism against women occurred, sometimes led by religious leaders enforcing fatwas. The incidents included whipping, beating, and other forms of physical violence.

Assailants threw acid in the faces of survivors, usually women, leaving them disfigured and often blind. Acid attacks were frequently related to a woman's refusal to accept a marriage proposal or were related to land or other money disputes. A total of 13 acid attacks were reported.

**Sexual Harassment:** Although sexual harassment is prohibited by a 2009 High Court ruling, harassment, also known as "Eve teasing," was common according to

multiple NGOs. ASK reported a total of 161 incidents of sexual harassment against women.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

A full range of contraceptive methods, including long-acting reversible contraception and permanent methods, were available through government, NGO, and for-profit clinics and hospitals. Low-income families were more likely to rely on public family planning services offered free of cost. Religious beliefs and traditional family roles served as barriers to access. Government district hospitals had crisis management centers providing contraceptive care to survivors of sexual assault. Due to cultural and religious factors, many women were unable to access contraception without their husbands' permission.

Effective access to information on reproductive health, including family planning, is one of the prime objectives of the *National Population Policy* (2012). Aligned with the national policy, family planning services were supported by programs that emphasized informed choice and voluntarism. To aid these practices, the *National Family Planning Program* used a job aid on clients' eligibility criteria, a family planning manual, and clients' consent forms for long acting and permanent methods of family planning. Family planning service providers were trained on reproductive rights and choice. Weaknesses in the public-health system, such as lack of trained providers and equipment in rural areas, resulted in inequitable access to information and services.

Taboos and stigma surrounding menstruation created social and religious barriers for menstruating women. In conservative communities some menstruating women could not use the kitchen or observe religious practices due to fear of contamination. A civil society organization estimated one in four girls stayed home from school while menstruating. The cost of menstrual products was relatively high compared to average wages, prompting some women to use potentially unhygienic materials while menstruating.

Throughout the COVID-19 pandemic, an increase in child marriage resulted in girls leaving school at a higher rate than boys. UNICEF noted girls who marry in

childhood are less likely to remain in school. Civil society organizations reported survivors of child marriage had less negotiating power to make family planning choices.

LGBTQI+ groups reported nonmale persons faced legal, cultural, and social barriers that impeded access to sexual and reproductive health services. In many cases, there were requirements for a third party, such as a spouse or male guardian, to authorize access to health-care services.

Many practitioners expressed discomfort in discussing sexual activity, and shamed patients that discussed sexually transmitted infections. Discussions of women's sexuality were particularly taboo. Civil society organizations and LGBTQI+ activists often cited social stigma against HIV and AIDS and against higher-risk populations as a barrier for accessing health services, especially for the transgender community.

**Discrimination:** The constitution declares all citizens are equal before the law with entitlement to equal protection under the law. It also explicitly recognizes the equal rights of women to those of men “in all spheres of the state and of public life.” According to human rights NGOs, the government did not always enforce the constitution or the laws pertaining to gender equality effectively. Women do not enjoy the same legal status and rights as men in family, property, and inheritance law. Family and inheritance laws vary by religion. According to traditional Islamic inheritance law, daughters inherit half of what sons do. According to Hindu inheritance law, a widow's rights to her deceased husband's property are limited to her lifetime and revert to the male heirs upon her death.

## **Systemic Racial or Ethnic Violence and Discrimination**

There were no major attacks on religious minorities motivated by transnational violent extremism. There were, however, reports of attacks on Hindu and Buddhist property and temples for political and economic reasons. NGOs reported national origin, racial, and ethnic minorities faced discrimination. For example, some Dalits (lowest-caste Hindus) suffered from restricted access to land, adequate housing, education, and employment.

In July a predominantly Hindu community in the southwestern Narail district was

the target of religiously charged attacks and acts of vandalism by Muslim individuals after a Facebook post deemed insulting to Islam went viral. The mob targeted a temple, shops, and several homes in the retaliation, adding to a string of religiously motivated attacks against Hindus in the country. No arrests were reported at the scene, despite the clear presence of security forces. Minority religious groups claimed the government failed to adequately punish perpetrators of anti-Hindu violence in October 2021 surrounding Durga Puja. One of the most extensive attacks was the attack on the Comilla Hindu temple. Despite the government's arrest of multiple individuals for the attack, as of August police had submitted charges in only two of the 12 cases they had filed. The Bangladesh Hindu Buddhist Christian Unity Council Comilla District unit's president Chandan Rai claimed that "unless justice is served, these incidents will be repeated." As of July, Prothom Alo reported only a handful of charges had been filed because of the violence across the country the previous October, with many investigations continuing. Bangladesh Police Headquarters stated police filed at least 142 cases; the investigation of 105 cases was finished, with 37 cases still under investigation.

The estimated 300,000 Urdu-speaking population (known as Biharis, originally Urdu-speaking Muslims that migrated to then East Pakistan before the Bangladesh Liberation War) were formerly stateless, and members from this community stated their requests to obtain passports were often rejected by immigration officers due to their lack of a permanent address. Almost all this population still resided in refugee-like camps established by the International Committee of the Red Cross in the 1970s, when Biharis believed they would return to Pakistan following the 1971 war. The Geneva Camp in Mohammadpur, Dhaka, for example, held an estimated 30,000 residents. In 2008, a High Court ruling that the Bihari community had rights as citizens prompted the international donor community to cease support because the community was technically no longer stateless. While the government provided some basic services, including water and electricity, Biharis reported social and economic discrimination as well as a lack of initiatives integrating them into society, leaving them isolated in crowded camps.

In September 2021, some Biharis expressed concern officials would reject their official status as Bangladeshis, expropriate their land, and implement policies to force the Biharis to return to Pakistan.



## **Indigenous Peoples**

The Indigenous community of the CHT experienced widespread discrimination and abuse despite nationwide government quotas for participation of Indigenous CHT residents in the civil service and higher education. These conditions also persisted despite provisions for local governance in the 1997 CHT Peace Accord, which has not been fully implemented, specifically the portions of the accord empowering a CHT-specific special administrative system consisting of the three Hill District Councils and the Regional Council. Indigenous persons from the CHT were unable to participate effectively in decisions affecting their lands due to disagreements regarding land dispute resolution procedures under the Land Commission Act. Local organizations claimed the army and intelligence forces carried out extrajudicial killings and arbitrary arrests; beat, harassed, threatened, and jailed Indigenous people on false charges; and labeled rights activists as terrorists and extortionists.

In July the government ordered media not to use the word “indigenous” in shows organized for the August 9 International Day of the World’s Indigenous Peoples.

Indigenous activists claimed ethnic minorities were drastically undercounted by the census, impacting land rights and the development budget of the CHT. The official census reported 1.65 million minority persons, while the Bangladesh Indigenous Peoples’ Forum estimated there were around three million ethnic minority persons. While the country had a 20 percent poverty rate, poverty in the plains, where some Indigenous persons lived, was more than 80 percent and more than 65 percent in the CHT. Organizations corroborated health care available to Indigenous persons was well below the standard available to non-Indigenous persons in the country.

Throughout the pandemic, multiple NGOs reported severe food insecurity due to the abrupt job loss by Indigenous persons outside the CHT. Since many Indigenous persons most in need of assistance lived in remote areas difficult to access by vehicles, many Indigenous communities reported receiving no government assistance.

Human rights organizations continued to allege evictions and communal attacks

occurred against local populations in the CHT, often at the direction of the government, army, and intelligence agencies. In September reports emerged that a rubber plantation had poisoned the water source of several villages to displace the local Indigenous population from its land.

In August the UN special rapporteur on the rights of Indigenous peoples; the UN Working Group on Arbitrary Detention; the UN special rapporteur on extrajudicial, summary, or arbitrary executions; and the UN special rapporteur on the promotion and protection of the right to freedom of opinion and expression wrote to the government with concerns regarding the alleged torture and subsequent death of Nabayan Chakma Milon, an Indigenous political activist, in military custody. They called for an immediate investigation into Milon's death. The United Nations noted "it has been brought to our attention that the Indigenous peoples and Indigenous rights activists, as well as Indigenous political activists have repeatedly been subjected to alleged arbitrary arrest, torture, arbitrary deprivation of life and enforced disappearance in CHT. Moreover, almost every time a raid took place in CHT area by the military personnel, the legal requirements such as obtaining warrants for search, arrest, or both were not being followed."

Indigenous communities in areas other than the CHT reported the loss of land to Bengali Muslims, and Indigenous peoples' advocacy groups reported deforestation to support Rohingya refugee camps and other commercial pursuits caused severe environmental degradation in their land, adversely affecting their livelihoods.

The central government retained authority over land use. In what local rights groups deemed a blatant land grab, Lama Rubber Industries Limited filed a case in August in the Senior Judicial Magistrate Court of Bandarban against 11 villagers who demanded protection of 400 acres of their farmland and rural forest.

Indigenous communities, organized under different political groups, engaged in violence within the Indigenous community. The factional clashes between and within the United Peoples' Democratic Forum and the Parbatya Chattagram Jana Samhati Samiti resulted mostly from the desire to establish supremacy in particular geographic areas. Media reported many leaders of these factions were engaged in extortion and smuggling of money, drugs, and arms. Meanwhile, the deaths and violence remained unresolved. NGOs and Indigenous persons familiar with the

situation warned intraparty violence in the CHT had risen sharply.

Reports of sexual assaults on Indigenous women and children by Bengali neighbors or security personnel remained unresolved.

## **Children**

**Birth Registration:** Individuals are born citizens if their parents were Bangladeshi citizens, if the nationality of the parents is unknown and the child is born in Bangladeshi territory, or if their fathers or grandfathers were born in the territories that were previously not part of the country. The government did not register births for nor extend citizenship to Rohingya refugees born in the country, although it permitted UNHCR to register births within the refugee camps. If a person qualifies for citizenship through ancestry, the father or grandfather must have been a permanent resident of these territories in or after 1971. Birth registration is required to obtain a national identity card or passport.

**Education:** Education is free and compulsory through eighth grade by law, and the government offered subsidies to parents to keep girls in class through 10th grade. Teacher fees, books, and uniforms remained prohibitively costly for many families, despite free classes, and the government distributed hundreds of millions of free textbooks to increase access to education. Enrollments in primary schools showed gender parity, but completion rates fell in secondary school, with more boys than girls completing that level. Early and forced marriage was a factor in girls' attrition from secondary school. Numerous civil society organizations stated many families of school-aged children struggled to find access to the internet to benefit from online schooling during the pandemic.

**Child Abuse:** Many forms of child abuse, including sexual abuse, physical and humiliating punishment, child abandonment, kidnapping, and trafficking, continued to be serious and widespread. Children were vulnerable to abuse in all settings, including home, community, school, residential institutions, and the workplace. The law prohibits child abuse and neglect with the penalty for conviction of up to five years' imprisonment, a fine, or both. According to Bangladesh Shishu Adhikar Forum, a network of child rights NGOs, the law was not fully implemented, and juvenile cases – like many other criminal cases – often

lagged in the judicial system. The Department of Social Services, under the Ministry of Social Welfare, operated “Child Helpline – 1098,” a free telephone service designed to help children facing violence, abuse, and exploitation. The hotline received approximately 80,000 calls a year on average and was accessible from anywhere in the country. The hotline center provided services such as rescue, referral, and counseling.

ASK reported 1,088 incidents of violence against children occurred, with an additional 516 children killed.

During the year former students detailed multiple allegations of sex abuse at the hands of teachers and older pupils in Islamic madrassas. In April the 55-year-old director of a madrassa was arrested for allegedly raping a seven-year-old female student on several occasions. In January a special tribunal sentenced a madrassa teacher to eight years in prison for raping a five-year-old child inside a mosque. The child’s grandmother initially filed the case after the victim returned home bleeding.

Despite advances, including establishing a monitoring agency in the Ministry of Home Affairs, trafficking of children and inadequate care and protection for survivors of trafficking continued to be problems. Child labor and abuse at the workplace remained problems in certain industries, mostly in the informal sector, and child domestic workers were vulnerable to all forms of abuse at their informal workplaces.

**Child, Early, and Forced Marriage:** The legal age of marriage is 18 for women and 21 for men. The law includes a provision for marriages of women and men at any age in “special circumstances.”

To reduce early and forced marriages, the government offered stipends for girls’ school expenses beyond the compulsory level. The government and NGOs conducted workshops and public events to teach parents the importance of their daughters waiting until age 18 before marrying.

According to the Ministry of Women and Children’s Affairs, two mobile services were available to report cases of child marriage and other services; the Joya App and a “109 Hotline.” According to the ministry, more than 1,000 girls used the

hotline every day.

Numerous civil society organizations cited cause-and-effect relationships between the extended school closures due to the pandemic and an increased risk of school dropouts and child marriage. In August the Ministry of Women and Children's Affairs celebrated more than one million signatures collected in partnership with international and local partners during its "Actions to Prevent Child Marriage in Bangladesh" campaign that started in July 2021. The pledge drive focused on community engagement, capacity development, mass media mobilization, and advocacy. The Ministry of Women and Children's Affairs website hosts a digital library to provide information on existing laws and other resources to prevent child marriage.

**Sexual Exploitation of Children:** The penalty for conviction of sexual exploitation of children is 10 years to life imprisonment. Child pornography and selling or distributing such material is prohibited. The government, through the help of several organizations, worked to improve the quality of life of the country's estimated 1.5 million street children and provide them access to education, health care, shelter, and safe employment opportunities.

Underage girls trafficked in brothels were able to produce notarized certificates stating they were older than age 18, and some NGOs claimed corrupt government and law enforcement officials condoned or facilitated these practices. In addition to cross-border trafficking, traffickers lured girls from around the country into domestic commercial sexual exploitation in legal and illegal brothels and hotels.

**Displaced Children:** See section 2.f.

## **Antisemitism**

There was no Jewish community in the country. Politicians and imams made antisemitic statements, reportedly to gain support from their constituencies.

## **Trafficking in Persons**

See the State Department's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Organ Harvesting

The BBC reported in 2017 a kidney and other organ shortage within the country contributed to a rise in illegal transplants and organ collection.

In October 2021, Bengali-language daily newspaper *Samakal* reported the existence of an online shop set up to target villages in the Joypurhat region, with criminals buying kidneys and selling them abroad for around five times the price. From 2011-21, *Samakal* reported that at least 300 individuals sold their kidneys using this platform, with the crime group targeting more than 31 villages in 2011 alone. The Facebook group used the apparently harmless alias Bangladesh Kidney and Liver Treatment Service. Of the more than 300 kidneys harvested, *Samakal* stated more than 100 were sent abroad. Several arrests were made in connection with the Facebook group, but residents in the region expressed concerns the harvesting business continued despite the threat of arrest. The media company Jugantor also reported in October 2021 on the existence of at least a dozen more groups set up on Facebook to buy and sell organs.

In July the *Bangla Tribune* reported on the activities and arrest of a joint Bangladesh-India crime syndicate trafficking human organs and vulnerable individuals. The syndicate used social media to target low-income areas, even arranging for the trafficking of persons into India for the purpose of organ harvesting. The RAB arrested members of the Bangladeshi component of this syndicate and found the members possessed personal documents (both forged and authentic) belonging to victims, including passports and bank statements. The arrested persons initially admitted to buying and selling more than 50 kidneys, as well as preparing forged documents to traffic individuals to India.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** Same-sex sexual conduct is illegal under the penal code. The government did not actively enforce the law. Members of LGBTQI+ groups reported the government retained the law because of societal pressure.

**Violence against LGBTQI+ Persons:** Members of LGBTQI+ communities received threatening messages via telephone, text, and social media, and some were harassed by police. They stressed the need for online and physical security due to continued threats of physical violence. The government took few official actions to investigate, prosecute, and punish those complicit in violence and abuses against LGBTQI+ persons. LGBTQI+ advocacy organizations reported police used the law as a pretext to harass LGBTQI+ individuals and individuals that were perceived to be LGBTQI+ regardless of their sexual orientation, as well as to limit registration of LGBTQI+ civil society organizations. Some groups also reported harassment under a suspicious-behavior provision of the police code. LGBTQI+ individuals experienced continued high levels of fear, harassment, and law enforcement actions taken in the wake of violent extremist attacks in the past decade. Police investigation and prosecution of those complicit in violence or crimes against LGBTQI+ individuals remained rare.

**Discrimination:** The law does not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. LGBTQI+ groups reported official discrimination in employment and occupation, housing, and access to government services including health care and access to justice.

Mental health care was a top concern, and according to these groups, mental health-care providers tended to use moralistic terms to shame LGBTQI+ persons. PrEP and PEP, preexposure and postexposure medications that prevent transmittal of HIV during sex, were available via a pilot project in Dhaka but not in the rest of the country. The government made HIV testing free, but stigma regarding testing and seeking treatment remained strong.

While some transgender women in the country identified as *hijra* (a cultural South Asian term for some transgender women as well as some intersex and gender nonconforming individuals) due to an affinity for the hijra subculture or a desire for increased social protection, not all chose to do so. Many transgender women asserted their transgender identities and corrected those that identified them as hijra. Meanwhile, transgender men received little support or tolerance, particularly in poor and rural communities. Some conservative clerics decried the transgender community and sharply distinguished it from the hijra identity, saying the latter

would be tolerable while the former remains unacceptable. Transgender rights advocates claimed the government conducted genitalia checks on hijra in some cases, before allowing them access to services.

**Availability of Legal Gender Recognition:** Passports and legal identification documents, including voter registration forms, include the option to select “X” or “Hijra” as a third gender. The national census conducted during the year included a “third gender” category. Although the government made some progress in promoting social acceptance of hijra persons, the government made limited efforts to promote the rights of others in the LGBTQI+ community and did not offer legal recognition.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** LGBTQI+ activists reported so-called conversion therapy practices were widespread. Lesbian women and gay men recounted stories of being sent by their parents to drug rehabilitation facilities and forced to take sedatives, wear traditional clothing, and recite the Quran. One community leader spoke of her parents sending her to a psychiatrist to “turn her straight.” The government took no measures to condemn these practices.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** Organizations working on LGBTQI+ topics in the country faced major hurdles to fund and implement projects due to their inability to register with the government as formal LGBTQI+ NGOs. To get around this challenge, some organizations registered as social services or diversity-focused NGOs. Other organizations choose to operate without registration, but they were then precluded from directly accepting foreign funding. Organizations specifically assisting lesbians continued to be rare. Severe social stigma regarding sexual orientation was common and prevented open discussion of the subject.

## **Persons with Disabilities**

The law provides for equal treatment and freedom from discrimination for persons with disabilities, and the government took mostly effective measures to enforce these provisions. NGOs reported the government took cases of violence based on discrimination against persons with disabilities seriously, and it acted to investigate



and punish those responsible for violence and abuses against those with disabilities. Nonetheless, civil society reported those with disabilities were the most vulnerable group throughout the pandemic, especially women and girls.

Local NGO Bangladesh Protibandhi Unnayan Sangstha (BPUS), estimated 10 percent of the population possessed some form of disability. BPUS estimated more than 60 percent of the disability population lived in rural areas without access to government support. Other NGOs estimated only 2.5 percent of the population are persons with disabilities.

The National Building Construction Act requires physical structures be made accessible to those with disabilities, but the government did not implement the law effectively. For example, government buildings had no accommodations for persons with disabilities. The law requires persons with disabilities to register for identity cards to track their enrollment in educational institutions and access to jobs. This registration allows them to be included in voter lists, to cast votes, and to participate in elections. The law states no person, organization, authority, or corporation shall discriminate against persons with disabilities. Local NGOs estimated 50 to 60 percent of those with disabilities were unable to exercise their right to vote, as voting centers lacked accommodations for persons with disabilities. Most polling centers had no access to priority voting and no assistive tools such as braille ballots for visually impaired persons to vote confidentially.

According to the NGO Action against Disability, some children with disabilities did not attend public school due to lack of accommodation, but data were not readily available. The government trained teachers on inclusive education and recruited disability specialists at the district level. The government also allocated stipends for students with disabilities.

Many organizations reported persons with visual disabilities experienced difficulties accessing technology. While individuals reported government websites contained more user-friendly services for persons with disabilities, they also reported information for persons with disabilities was usually uploaded on portals as scanned documents, which made it incompatible for software used by visually impaired persons. Community members reported documents uploaded in formats readable by assistive technology would make a positive difference. The

government provided visually impaired students with accessible books every year and was working on a National Web Accessibility Guideline to make all government services accessible to persons with disabilities through a national web portal.

The government took action to investigate those responsible for violence and abuses against persons with disabilities.

Government facilities for treating persons with mental disabilities were inadequate. The Ministry of Health established child development centers in all public medical colleges to assess neurological disabilities. The government operated 103 disability information and service centers in all 64 districts, where local authorities provided free rehabilitation services and assistive devices. Activists reported the monthly government allowance for persons with disabilities was 750 taka (\$7.50) and requested the government increase the allowance in the national budget.

## **Other Societal Violence or Discrimination**

The issuance of illegal fatwas and village arbitration, which a prominent local NGO defined as rulings issued by community leaders rather than religious scholars, also occurred.

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> **Section**

## **7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right to join unions and, with government approval, to form unions. The law does not cover workers in the informal sector, who make up an estimated 85 percent of the labor force. The legal definition of workers excludes managerial, supervisory, and administrative staff. Civil servants, firefighters, security guards, and employers' confidential assistants are not allowed to join unions. Unions are not permitted in Export Processing Zones (EPZ). The law provides for workers in unions to bargain collectively and engage in legal strikes and prohibits antiunion discrimination.

The law provides for workers in a collective bargaining union to have the right to

strike in the event of a failure to reach settlement, but places limitations on this right. At least 75 percent of union employees must support a strike action. The government may prohibit a strike deemed to pose a “serious hardship to the community” and may terminate any strike lasting more than 30 days. The law additionally prohibits strikes for the first three years of commercial production if the factory was built with foreign investment or owned by a foreign investor. Few strikes followed the cumbersome legal requirements, however, and strikes or walkouts often occurred spontaneously. Work stoppages, strikes, and workplace actions regarding wage arrears, improper or illegal shutdowns, layoffs, terminations, and discrimination were prevalent in several sectors during the year. The COVID-19 pandemic exacerbated these concerns.

The law requires every factory with more than 50 employees to have a participation committee. The law states there is no requirement for a participation committee if a trade union exists in the establishment, but employers often selected or appointed workers to participation committees rather than allowing worker elections to those positions as required by law. Employers also failed to comply with laws and regulations that provided for the effectiveness and independence of participation committees.

The law severely restricts the right to organize and bargain collectively for the nearly 490,000 workers in EPZs. EPZ workers may establish worker welfare associations (WWA), but the law does not empower them to independently represent workers in collective bargaining. WWAs dominated by the Bangladesh Export Processing Zones Authority (BEPZA) continued to supplant the role of independent unions. Among the 461 operating enterprises in the eight EPZs, WWAs were formed in only 237 enterprises. The law gives BEPZA discretion to ban any strike it views as prejudicial to the public interest within the EPZs. The Ministry of Labour and Employment’s Department of Inspection for Factories and Establishments (DIFE) continued to face obstacles to conducting inspections in the EPZs, including the requirement to obtain prior approval from the BEPZA Executive Chairman. The law provides for EPZ labor tribunals, appellate tribunals, and conciliators, but those institutions were not established. Instead, 13 labor courts and one appellate labor court heard EPZ cases. More than 50 percent of WWAs in one zone of the EPZ must approve a federation, and they are

prohibited from establishing any connection to outside political parties, unions, federations, or NGOs.

The government did not effectively enforce laws protecting freedom of association, the right to bargain collectively and the right to strike. Penalties for unfair labor practices and antiunion discrimination were not commensurate with penalties for other laws involving denials of civil rights. Penalties were sometimes applied against violators, more often against workers than employers. The Department of Labor within the Labour Ministry reported that in 2021, workers filed 18 complaints regarding unfair labor practices and antiunion discrimination. Of those complaints, only six complaints were settled and employers in those cases were fined a small amount; the other complaints remained under investigation.

The law does not allow workers to file unfair labor practice or antiunion discrimination cases directly with labor courts. Workers must first file complaints with the DOL alleging unfair labor practices. The DOL first investigates, then attempts to bring the parties to consensus through arbitration. Their decisions are not binding. The DOL may file cases with the labor court if arbitration fails to reach a resolution between the parties. The DIFE has authority to mediate wage-related disputes. Labor organizations reported the conciliation process slowed down workers' access to justice. The government reported workers filed three complaints for unfair labor practices, antiunion discrimination, and unscrupulous labor behavior from January to December 7; the DOL was investigating the complaints. Trade union federations reported they stopped filing unfair labor practice complaints due to the enormous backlog of existing cases.

While the law allows for more than one union in a factory, the DOL does not allow more than one independent union per factory in the garment industry. Labor leaders continued to report management-supported groups received quick union registration credentials. A labor court may order reinstatement of workers fired for union activities, but reinstatement was rarely awarded.

Labor rights organizations reported high levels of rejections for union registrations and an overly complicated registration process. The law requires a minimum of 20 percent of an enterprise's total workforce agree to unionize before the DOL may grant approval for union registration in the form certificate of registration. The

DOL may request the labor court's permission to dissolve the union if membership falls below 20 percent. Generally, the law only allows "wall-to-wall" (entire factory) bargaining units. Labor rights organizations reported the DOL's Registrar of Trade Unions regularly abused its discretion and denied applications for reasons not recognized in the labor law or regulation, or by fabricating shortcomings in applications.

According to the Solidarity Center, a labor rights organization, trade union registration applications and approvals have declined significantly since 2013, despite the adoption of standard operating procedures in 2017 to simplify union registrations. One union representative explained she had completed all paperwork to form a union and had support from 30 percent of workers, but the DOL rejected the application because the factory claimed it had hundreds of additional employees. The union also reported that the DOL shared the names of the union's organizers with the factory owner, and all the organizers were fired.

Workers and union leaders were subjected to police violence, blacklisting, mass dismissal, and arrest for exercising their right to organize. Police intimidated unions in the ready-made garment (RMG) sector by frequently visiting their meetings and offices, photographing or recording meetings, and monitoring NGOs supporting trade unions. The International Trade Union Confederation noted major discrepancies in the labor law that do not align with international labor standards and raised concern regarding police crackdowns on workers protesting for higher wages. The confederation also called for more measures to restrain interference in union elections.

On June 27, police filed a case against the organizing secretary of the Garment Workers Trade Union Center and five other union leaders. Police detained the union leaders peacefully protesting police harassment of rickshaw pullers. Police accused them of instigating workers to vandalize public property and conducting unlawful activities. On August 18, a district court ordered all six accused to jail.

During the year the Labour Ministry reported the garment sector alone had 1,156 active trade unions and around 650 active participation committees. Labor leaders, however, claimed much lower numbers of trade unions, asserting that due to intimidation, corruption, and violence that suppressed union organizing, only 30-

40 of the 80-90 active unions in the sector engaged in genuine negotiations with employers. The Labour Ministry reported the fisheries sector had 64 active unions. Only 70 tanneries were unionized under the sector's single union. The tea sector had one union, the largest in the country, representing around 150,000 workers at 167 plantations.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor outside prisons, but the government did not effectively enforce the law. Inspection mechanisms to enforce laws against forced labor did not function effectively. Resources, inspections, and remediation efforts were inadequate. During the year, law enforcement officers conducted few investigations and denied credible reports of official complicity in hundreds of forced labor cases. The law requires victims of forced labor have access to shelter and other protective services afforded to trafficking victims, but the government did not always provide such services, nor did it consistently follow victim identification procedures. There were no government-owned shelters for adult male victims.

Children and adults were also forced into domestic servitude and bonded labor that involved restricted movement, nonpayment of wages, threats, and physical or sexual abuse. According to the DIFE, at least 297 abuse cases were pending at labor courts across the country, while 106 cases were pending in Dhaka and 60 in Narayanganj. Charges were mostly for voluntarily causing grievous hurt, assault, and torture at brick kilns. According to the International Labor Organization, significant numbers of child laborers were employed at brick kilns. To find workers to fulfill their tasks, which require no special skills, kiln operators and their agents targeted poverty-stricken villages and urban slums to recruit unskilled laborers.

Traffickers exploited workers in forced labor through debt-based coercion and bonded labor in the shrimp and fish-processing industries, tea estates, aluminum and garment factories, brick kilns, dry fish production, and shipbreaking. NGOs reported government border and local police officials permitted traffickers to recruit and operate at India-Bangladesh border crossings and maritime embarkation points.

The more than 950,972 registered Rohingya men, women, and children in refugee camps, who did not have access to formal schooling or livelihoods, were vulnerable to forced labor and other exploitation, particularly by local criminal networks.

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

### **d. Discrimination with Respect to Employment and Occupation**

The labor law prohibits wage discrimination based on sex or disability, but it does not prohibit other discrimination based on sex, disability, social status, caste, sexual orientation, or similar factors. The constitution prohibits adverse discrimination by the state based on religion, race, caste, sex, or place of birth and expressly extends that prohibition to government employment; it allows affirmative action programs for the benefit of disadvantaged populations. The law does not include a penalty for discrimination. The government did not effectively enforce the law, and the penalties were less than those for similar crimes. Few sought recourse, and penalties were rarely applied against violators.

Women made up more than 50 percent of the total workforce in the garment industry according to official statistics. Even in the garment sector, however, women faced discrimination in employment and occupation. Women were generally underrepresented in supervisory and management positions and generally earned less than male counterparts even when performing similar functions. The laws prohibiting adolescents from participating in dangerous work specify women are equal to adolescents and therefore prohibited from working with hazardous machinery, cleaning machinery in motion, and working underground or underwater.

The labor law does not have a provision for equal remuneration for work of equal value. The World Economic Forum *Global Gender Gap Report 2022* noted women made up more than 90 percent of the informal sector labor force. Women faced discrimination in retention and promotion. For example, there was a perception within the garment industry that women were less able to adapt to automation, leading factories to lay off many female workers. Women were also subjected to abuse in factories, including sexual harassment. Employers in some instances curtailed women workers' maternity benefits and dismissed pregnant workers.

Women workers faced discrimination in the tea industry. Male workers received rice rations for their female spouses, but female tea-workers' spouses were not provided with rice rations as they were not considered dependents.

Some religious, ethnic, and other minorities reported discrimination, particularly in the private sector (see section 6). In July a group of Dalit individuals demanded quotas for Dalits in educational institutions and government jobs. They also petitioned the government to provide incentives, better housing, and ration allocations for their communities as part of the national budget. The government offers training and employment opportunities to help third-gender persons gain employment, but these programs are limited. In 2021, the government announced a 5 percent corporate tax waiver for companies employing at least 100 members from the third-gender community to boost participation of this community in social and economic activities. After the announcement, some factories hired several third-gender workers. Rights activists stated, however, only a small number of third-gender persons worked in the manufacturing and service sectors, where many faced workplace discrimination.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The National Minimum Wage Board established minimum monthly wages by sector. The minimum wage was not indexed to inflation, but the board occasionally made cost-of-living adjustments to wages in some sectors. None of the set minimum wages provided a sufficient standard of living for urban dwellers, but many were above the poverty level. Failure to pay the specified minimum wage is punishable by imprisonment up to one year, a fine,



or both, and the employer is supposed to repay owed wages. Forty-two sectors are under minimum wage regulation. During the year, the government did not include any new industrial sectors under the minimum wage regulation. The government determined the minimum wage through analyzing workers' cost and standard of living, the cost of production in the sector, productivity and the price of goods, inflation, type of work, and associated risk factors. Despite a labor law provision to revise the minimum wage every five years, wages in many sectors have long remained unchanged. Wages received little attention in sectors without strong trade unions or labor organizations. Following a 17-day strike on August 27, the prime minister declared an increased daily minimum wage for tea sector workers.

By law a standard workday is eight hours. A standard workweek is 48 hours, but it may be extended to 60 hours, subject to payment of an overtime allowance double the basic wage. Overtime may not be compulsory. Workers must have one hour of rest if they work for more than six hours a day, or a half hour of rest for more than five hours' work per day. The law states every worker should be allowed at least 11 festival holidays with full wages in a year, fixed by the employer in consultation with the collective bargaining agent, if any. Factory workers were supposed to receive one day off every week. Shop workers received one-and-a-half days off per week. The labor law did not specify a penalty for forced overtime or failing to pay overtime wages.

**Occupational Safety and Health:** The law establishes occupational safety and health (OSH) standards, and amendments to the law created mandatory worker safety committees. The labor law specified sanctions when failure to comply caused harm. For loss of life, violators are subject to a four-year jail term, a fine, or both; for serious injury, a two-year jail term, a fine, or both; and for injury or danger, violators face a six-month jail term, a fine, or both. Penalties for violations of OSH laws were commensurate with those for crimes such as negligence.

Labor law implementing rules outline the process for forming OSH committees in factories, and the government reported approximately 2,175 safety committees had been formed since 2018. The committees included both management and workers nominated by the collective bargaining agreement or, in absence of an agreement, worker representatives of the factory's participation committee. Where there is no union or participation committee, the DOL is responsible for arranging

participation committee elections.

According to a survey conducted by Safety and Rights Society, at least 333 workers died between January and June, and 562 others were seriously injured in workplace accidents, mostly in the informal sector.

On June 4, a fire at a container depot in Chattogram killed 51 and injured more than 200 workers, firefighters, and police. According to the fire service, the fire originated from a container of hydrogen peroxide, resulting in a massive explosion. The depot owner reportedly did not have a license to store hydrogen peroxide. Investigative committees found evidence of poor fire safety protocols, negligence, disregard for worker safety, and inadequate inspection actions by government agencies. Local police filed a case against eight depot employees, including two of the seriously injured officials, for negligence while on duty. Police did not file a case against the depot's owners. The owners subsequently distributed around \$638,600 to the families of 69 victims; however, many victim families were still awaiting compensation in September.

In 2021, the Ministry of Commerce formed the Government Coordination Council (GCC) to supervise the independent RMG Sustainability Council (RSC), a private, tripartite organization licensed to oversee the safety standards at garment factories. The GCC includes participation from the Ministry of Foreign Affairs, Ministry of Textiles and Jute, Ministry of Labour and Employment, Ministry of Industry, Bangladesh Economic Zones Authority, and BEPZA. The GCC organized two coordination meetings to provide necessary guidance and to ensure RSC activities do not conflict with other government regulatory bodies. In the coordination meetings the RSC urged inclusion of the tripartite RSC board of directors on the GCC and raised the importance of addressing safety matters at RSC-covered factories.

In 2021, the International Accord for Health and Safety in the Textile and Garment Industry agreement (accord) took effect. The agreement, formed between multinational union confederations and brand signatories (garment buyers), aimed to broaden the legally binding safety inspection regime, feed information into the RSC, and broaden safety inspections to include additional labor considerations such as wages and compensation and some worker-related rights. As of

December, 187 brands were registered under the accord. The government stated the RSC is the sole inspection regime for RMG factories, but the Bangladesh Garment Manufacturers and Exports Association rejected the accord's stated goals, suggesting its operation in the country might be unlawful.

Revisions to the building code were published that failed to meet basic international fire safety standards, and government oversight of building safety outside the garment export sector remained limited. Although prior work under the brand-led accord and similar programs improved structural, fire, and electrical safety conditions in 2,300 RMG factories manufacturing for Western brands, safety auditors reported fire detection and suppression systems in these factories often did not work following installation because they were not maintained properly. The government's National Initiative covers 1,549 additional RMG factories producing for domestic sale or for export to other foreign markets. Under the DIFE, the government formed a Remediation and Coordination Cell (RCC) to monitor and remediate National Initiative factories. As of June, the RCC closed more than 740 noncompliant factories and was actively implementing Corrective Action Plans in 666 factories, with an overall remediation progress of 55 percent. On March 21, the DIFE launched an Industrial Safety Unit, initially consisting of seven engineers, to oversee the National Initiative factories and, eventually, the safety of industries.

**Wage, Hour, and OSH Enforcement:** DIFE labor inspectors only have authority to make unannounced inspections in establishments outside the EPZs. The DIFE may only conduct announced inspections within EPZs, and with some limitations. The government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties for violations were not commensurate with those for similar crimes and were rarely applied against violators.

DIFE inspectors do not have authority to issue penalties or initiate sanctions; they may notify establishments of violations in writing and file complaints with the labor courts. The DIFE regularly filed cases with the labor courts against employers for administrative violations of the law, such as not maintaining documents. The Labor Ministry reported the DIFE filed cases against some factories for failure to pay minimum wages and overtime during the year, but labor organizations have not seen any cases.

There were criticisms regarding the DIFE's complaint mechanism. A worker must enter his or her name, position, and identity number in the complaint form. Once the complaint is received, the DIFE issues a letter to factory management with reference to the complaint form, which identifies the complainant. This mechanism provided inadequate protections to workers and raised doubts on efficacy. In fiscal year 2021-22, the DIFE received 3,185 complaints and claimed it resolved 99.3 percent. In 2021, BEPZA launched a helpline telephone number for EPZ workers. Through June, the helpline received 2,340 complaints from eight EPZs and resolved 2,286.

DIFE's resources were inadequate to inspect and remediate problems effectively. The factory inspection department has only 311 inspectors and 23 district inspectorate offices to look after safety matters in more than 530,000 production units and shops. In August the Labor Ministry approved 192 new posts and eight new inspectorate offices for the department.

Although increased focus on the garment industry improved safety compliance in some garment factories, resources, inspections, and remediation were not adequate across other sectors. Even many garment employers failed to meet legal requirements, including adequately training workers on safety and hazardous materials, providing required equipment, or setting up functioning safety committees. Legal limits on hours of work were routinely violated and a labor rights NGO found 95 percent of factories did not comply with overtime limits. Employers often required workers, including pregnant women, to work 12 hours a day or more to meet quotas and export deadlines, but they did not always properly compensate workers for their overtime. Employers in many cases delayed workers' pay or denied full leave benefits.

**Informal Sector:** Few reliable labor statistics were available on the large informal sector that employed most workers in the country. Labor laws do not cover informal employment. According to the *Labour Force Survey 2016-2017*, of a total of 61 million employed persons, 85 percent worked in the informal sector. Nearly 92 percent of women and 82 percent of men were involved in informal work activities. In both urban and rural areas, women and youth were more likely to be in informal employment. Nearly half the workers in the informal sector had received no schooling. Informal sector workers are not covered by the same wage,

hour, OSH, and other labor laws and inspections that prevail in the formal sector. Workers in the informal sector mostly do not have fixed wages, set work hours, or written contracts. Legal protection for workers in the informal sector remains illusory although most OSH incidents occur in the informal sector. Overwork increased the number of workplace injuries among informal sector workers.